

Monday, March 5, 1852.

Senate met.

## Reports from Committees.

By Mr. Spann, from the committee on military affairs, asking to be discharged from the consideration of that part of the Governor's message in relation to making a list of the soldiers who served in the Mexican war, as the Senate has already passed a bill on that subject. *Concurred in.*

By Mr. Emerson, from the committee on practice and pleadings and criminal law, adversely to the petition of citizens of Fountain county, in relation to the formation of horse thief detecting companies. *Concurred in.*

By Mr. Hicks, from the same committee, returning bill of the House in relation to jurisdiction of justices of the peace, with amendments, recommending its passage. *Amendments concurred in, and the bill laid on the table for the present.*

By Mr. Eddy, from the committee on corporations, returning bill in relation to the organization of bridge companies, recommending that it be laid on the table, as a bill has passed the Senate, containing similar provisions. *Concurred in.*

By Mr. Craven, from the committee on county and township business, returning the bill authorizing county boards to borrow money to build court houses and jails, with an amendment, recommending its passage. *Amendments concurred in, and bill passed.*

By Mr. Slack, from the same committee, returning bill of the House for the relief of the poor, with an amendment, recommending its passage. *Concurred in, and the bill ordered to a third reading.*

By Mr. Emerson, from a select committee, in favor of laying on the table petitions of citizens of Union county for a homestead law, as such a law has been already passed. *Concurred in.*

By Mr. Goodman, from a select committee, returning the bill to sell saline lands in Dubois county recommending its passage. *Concurred in.*

## Resolutions introduced.

By Mr. Emerson, that the Principal Secretary of the Senate and the chairman of standing committees be instructed to hand over to the committee on revision all bills in their possession at the time of the adjournment. *Adopted.*

By Mr. Hickman, that the committee on revision be instructed to have printed for the use of the Senate 250 copies of each new bill framed by them, and of each article of the Statutes revised. *Laid on the table for the present.*

By Mr. Goodman, that 500 copies of the addresses on education, by S. K. Houshner and "One of the People," ordered to be printed for the use of the Senate, be placed at the disposal of the authors. *Adopted.*

By Mr. Goodman, directing the State Printer to print 250 copies of the titles of all bills passed by the Senate at the present session. *Lost.*

On motion of Mr. Niblack, the vote on the adoption of the resolution directing the Secretary of the Senate and chairman of committees to hand over to the committee on revision all bills in their possession at adjournment, was reconsidered.

Mr. Niblack moved to refer the resolution to a select committee. *Lost.*

Mr. Hanna moved to amend the resolution so as to require the committees to return to the Senate all bills in their possession. *Adopted.*

The resolution as amended was then adopted.

## Bills read the third time.

To authorize the formation of companies for the establishment of high schools and seminaries of learning. Laid on the table for the present.

Joint resolution in relation to a correspondence between the Governors of Ohio and Indiana in regard to the taxation of personal property. Passed—ayes 31, noes 5.

Joint resolution in relation to settlements with the State Printer. Referred to the committee on revision.

A bill of the House to authorize the circuit court of Clinton county to sit two weeks, if the business shall require it. Passed—ayes 35, noes none.

Bills on the second reading were then taken up and disposed of.

A bill to amend the charter of the city of Indianapolis, so as to give the election of all city officers to the people, was reported from the House.

Mr. McCarty moved to suspend the rules and read the bill the second time now.

Mr. McCarty said that this was a bill in which his constituents were interested, and it was desirable to have it passed before the ensuing April election.

Mr. Saffor objected to suspending the rules. He thought the bill was unconstitutional.

Messrs. Emerson, Spann, and Eddy agreed with Mr. Saffor, and Mr. McCarty and Winsteadley spoke in favor of the bill.

The question being taken on suspending the rules, no quorum voted.

A call of the Senate was ordered, and a quorum was found to be present. The call was then suspended.

The rules were not suspended—ayes 23, noes 11.

Mr. Reed, from the committee on the organization of courts, returned the bill for the establishment of courts of common pleas; and, from the select committee on free banking, the bill on that subject.

The bill for the establishment of courts of common pleas was read the second time, and after a number of amendments were made, was ordered to a third reading on to-morrow—ayes 23, noes 12.

Mr. Slack returned the bill authorizing the disposal of the State's stock in the State Bank.

On motion of Mr. Berry, the bill relative to offenses punishable by fine or imprisonment in the county jail was taken up.

After being amended in several cases, the bill was ordered to a third reading.

A message was received from the House announcing that the House had passed a resolution to proceed to the election of Trustees of the State University this afternoon at half-past two o'clock. *Concurred in.*

Also, that the House had resolved to proceed to the election of a Law Reform Commissioner this afternoon at two o'clock. *Concurred in.*

Senate adjourned.

## AFTERNOON SESSION.

Senate met.

A message was received from the House announcing the passage, by that body, of a resolution that the committee on revision shall consist of only five members—two from the Senate and three from the House—and asking the concurrence of the Senate.

On motion of Mr. Winsteadley, the resolution was laid on the table.

Mr. Hicks, from the committee on education, returned bill of the House, to provide for the sale of county seminaries. *Bill laid on the table.*

A message was received from the House inviting the Senate to attend in the Hall of the House, *instantly*, for the purpose of proceeding to the election of a Law Reform Commissioner, in place of Jonathan A. Liston, resigned, which was reciprocated.

The Senate then proceeded to the House and the two Houses went into the election, by joint *visa voce* vote for the commissioner, when Mr. Lucien W. Barbour of Indianapolis, was elected.

The joint convention then proceeded to the election of eleven Trustees of the State University. Their names will be found in the House proceedings.

Senate adjourned.

## HOUSE OF REPRESENTATIVES.

Monday, March 5, 1852.

The House met, At 9 o'clock the clerk called the House to order.

The pending question was the election of Speaker.

Mr. Humphreys moved that the House now proceed to the election of a Speaker.

Mr. King nominated Mr. Brady.

Mr. Hanson nominated Mr. English.

The House then proceeded, by a *visa voce* vote, to the election of a Speaker; when,

William H. English received.....52 votes.

Henry Brady received.....15 votes.

Blank.....9 votes.

Mr. English having received a majority of all the votes cast, was declared duly elected Speaker.

Messrs. Owen, and Lindsay of H., were appointed to wait upon and conduct Mr. English to the Chair.

On taking the Chair, Mr. English said:

GENTLEMEN:—I presume it is not expected that I will make any extended remarks upon this occasion, and certainly it is not my intention or desire so to do.

I deem it sufficient to say that I return you my sincere and grateful acknowledgments for the honor conferred in selecting me to preside over your deliberations.

I feel conscious, gentlemen, that I shall go into the Chair under the most unfavorable circumstances, hav-

ing, comparatively, no experience, and, accordingly, to do so, an able, experienced and distinguished statesman, who is justly considered one of the best presiding officers not only in this State but in the Union.

To provide over a large deliberative body, is always difficult; to render entire satisfaction, is not to be expected. In my own case, I do not hope for it. No matter how familiar a man may be with parliamentary law and the run of legislative business, he is still not prepared, on the spur of the moment, to make the knowledge available in the decision of questions, unless he has had some actual experience in the Chair. It is only by use that he can familiarize himself with the duties so as to feel at home in his position.

To assume the Chair at the beginning of a session enables the Speaker, as the business slowly and gradually advances, to glide, with some degree of ease, into the discharge of the duties incumbent upon him; but to commence, as I do, at an advanced period, when the business is in its most complicated condition, is a far more discouraging and difficult undertaking.

I should, gentlemen, utterly despair of succeeding in anything like a satisfactory manner, if it were not that I rely—confidently rely—upon receiving your advice, your aid, your forbearance, and your generous indulgence.

Allow me, before concluding, to say a word upon the subject of the business devolving upon this General Assembly. We represent, in the aggregate, a million of people, with, probably, as many great interests to protect, and conflicting opinions to reconcile, as can be found in any State of the confederacy.

The new Constitution, as well as the wishes of our constituents, demands the enactment of a full and complete code of laws, general in their application, corresponding with and carrying out the principles of the Constitution, adapted to the spirit of the age, and the wants and expectations of the people. The limits and restrictions thrown around future Legislatures, by our organic law, make it necessary that this great work should be completed at the present session. If well done, as it should be, it is truly a Herculean task, requiring greater research and more intense application and labor than has devolved upon all the Legislatures of this State combined, for the last eight years. To a superficial observer or a prejudiced mind, it may appear otherwise; hence we have the double task of doing the work, and of repelling the assaults of miserable time-serving demagogues who hope to make political capital by the cry that the session is being protracted to an unnecessary and ruinous length.

I trust and believe that every member of this House, without distinction of party, sincerely desires to complete the business of legislation at the earliest possible period, and in such a manner as will be most conducive to the happiness and prosperity of our common country.

To this end, let us hope that, henceforward, all personal animosities will be buried; that a spirit of concession and compromise will prevail in all our deliberations, and that each one will zealously apply himself to the completion of the great work intrusted to us by a general constituency.

Again returning my heart-felt acknowledgments for this mark of your confidence and favor, I conclude by assuring you that I will use my utmost exertions to conduct the business of the chair in such a manner as will meet your approbation.

Mr. King moved to dispense with the call of the roll.

Mr. Dolson asked leave and introduced the following resolution:

Resolved, The Senate concurring, that one member be added to the joint committee of the two Houses.

Mr. King moved to amend by striking out from the enacting clause, and inserting a provision for a joint committee of one from the Senate and two from the House.

Mr. Kent moved to lay the amendment on the table; carried—ayes 47, noes 30.

Mr. Hicks moved to amend so as to leave three from the House.

Mr. Williams moved to lay the resolution and amendment on the table; carried—ayes 47, noes 29.

Mr. Humphreys asked leave and introduced a resolution, authorizing the clerks to inform the Senate that the House has elected the Hon. W. H. English, speaker of the House, in place of the Hon. Jno. W. Davis, who has resigned; which was agreed to.

The Speaker laid before the House a communication from the Governor, relative to the destruction of certain buildings belonging to the State's Prison, and calling upon the General Assembly for immediate action in relation to the same.

Mr. Gibson asked leave and introduced a bill for the erection of certain buildings in the place of those burnt by the late fire in the State Prison.

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